

Wellness Education Cannabis Advocates of Nevada proposed amendments to the draft regulations of NAC 453A sections 2-139

Section 35. 1. (a) – Reword this section to say: “. . . gains a **majority** ownership interest . . .”.

It is onerous and unduly burdensome to require a business to surrender a license just because they are adding to their investment pool. If this regulation is adopted, there will be no change in investment partnerships until the last partner dies off.

Section 37.2 – change text to: “. . . except for a complaint concerning the cost of services, ***the efficacy of the medication or customer service issues***, conduct an investigation . . .”

Cannabis affects different people differently, with varying degrees of effectiveness, just like many psych meds. An ineffective strain or poor customer service should not be the basis for a state investigation.

Section 37.3 – change text to: “The Division may enter and inspect any building or premises at any time ***during normal operating hours***, with or without notice . . .”

Showing up unannounced in the middle of the night is potentially a dangerous situation if a facility is patrolled by armed guards. These are not 24 hour operating facilities, and the state should not force the owners & operators to respond to the premises during their off hours.

Section 41.4 – Replace (a-c) with the following:

1. ***Develop an understanding of human physiology and the efficacy of different cannabinoids in relation to differing ailments***
2. ***Understand the relationship between different strains of cannabis and various medical conditions faced by patients of the dispensary***
3. ***Recognize the value of alternative ingestion methods besides just smoking such as edibles, tinctures, vaporizers, etc.***
4. ***Monitor dispensary information systems and criteria for establishing and managing patient and caregiver profiles to assist with long-term medication management***
5. ***Learn communication and interviewing techniques to facilitate interactions with all patients including seniors, disabled and other individuals who may need assistance in communicating***
6. ***Understand state oversight requirements, learn to recognize signs of medicine abuse or instability in patient use, record keeping and security procedures***

7. *Learn how to follow and document inventory control and anti-diversion techniques*

Section 41.5 – After (b), add the following:

- 1. *Develop an understanding of human physiology as it relates to cannabis use***
- 2. *Learn to understand the function of and how to recognize the primary cannabinoids***
- 3. *Learn to understand and recognize the different types of chemical analysis hardware used in cannabinoid testing***
- 4. *Monitor Laboratory information systems and criteria for establishing patient and caregiver profiles to assist with long-term medication management***

Section 41.6 – replace (a-e) with the following:

- 1. *Develop an understanding of human physiology as it relates to cannabis use and the efficacy of different cannabinoids in relation to differing ailments***
- 2. *Understand the relationship between different strains of cannabis and various medical conditions faced by patients***
- 3. *Understand the importance of strict anti-diversion procedures***
- 4. *Promote quality assurance throughout the facility and the growing process***
- 5. *Learn how to maintain accurate record-keeping for quality control and regulatory oversight processes***
- 6. *Learn the nutritional requirements of plants at various growth stages, proper mixing and dispersal of fertilizer, flushing procedures, and post-harvest trimming, drying and curing procedures***
- 7. *learn how to safely handle equipment including high intensity discharge lamps, electrical ballasts, pumps, fans, cutting implements and other cultivation equipment***
- 8. *Learn the best ways and least harmful methods to deal with pests, chemical problems and anything else that may be harmful to the plants, workers or patients***

Section 50 – Strike this section entirely. There are commercial free speech issues here, and the Division simply does not have the manpower to review every potential advertisement that will be generated. This rule would be very burdensome for both license holders and the Division.

Section 52 – Strike this section entirely. Nevada has no usury laws, so who’s to determine what is reasonable or adequate? This section is a lawsuit against the Division waiting to happen.

Section 121.1. (a) should be reworded to state: “. . . Must receive training provided by the Division ***or a Division approved training facility*** in the proper methods of selecting a random, homogenized sample for testing . . .”

Section 137. Strike items 1,2 & 3. There are potential HIPAA privacy violations with keeping detailed records on individual patients, and the Division needs to minimize the possible loss of privacy by intent or error. There is not a legislative need to do this. Item 4 has enough teeth for the Division to comply with the legislation, without creating more work for itself or fostering a chilling effect on physicians who seek to provide appropriate cannabinoid therapy for their patients.

Section 138.2. (a) – the item is duplicative: cultivating, growing or producing cannabis are exactly the same thing.